IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

GREGORY HEATH,)	
)	
Plaintiff,)	Case No. 3:09-0138
)	Judge Nixon
v.)	Magistrate Judge Brown
)	
METROPOLITAN LIFE,)	
INSURANCE COMPANY,)	
)	
Defendant.)	

ORDER

Pending before the Court is Plaintiff Gregory Heath's ("Plaintiff") Motion for Judgment on the Record ("Plaintiff's Motion") (Doc. No. 17) and Defendant Metropolitan Life Insurance Company's ("Defendant") Motion for Judgment on the Record ("Defendant's Motion") (Doc. No. 19). Magistrate Judge Brown issued a Report and Recommendation ("Report") (Doc. No. 29) recommending that Plaintiff's Motion be granted in part and denied in part; that Defendant's Motion be denied, and that Plaintiff's claim for long-term disability benefits be remanded to the Plan Administrator for further consideration consistent with the Report. The parties have given notice that they do not intend to submit any objection to the Report (Doc. No. 34).

Upon review of the record in this case, the Court finds the Report to be well-founded and ADOPTS it in its entirety. Accordingly, the Court hereby GRANTS in part Plaintiff's Motion, DENIES Defendant's Motion and REMANDS the case to the Plan Administrator for further consideration consistent with the Report.

It is so ORDERED.

Entered this _____ day of January, 2010.

JOHN T. NIXON, SENIOR JUDGE UNITED STATES DISTRICT COURT